

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

RONNIE LEE BROWN, )  
Petitioner, )  
v. ) CIVIL NO. 5:05-CV-564-VEH  
BILLY MITCHEM, WARDEN; )  
ATTORNEY GENERAL FOR THE )  
STATE OF ALABAMA, )  
Respondents. )

**MEMORANDUM OF OPINION**

On September 13, 2007 the court entered a Memorandum of Opinion and Final Judgment in this case. On September 25, 2007 petitioner filed a Motion for Reconsideration stating that he did not receive a copy of the magistrate judge's findings and recommendation. On October 3, 2007 an order was entered directing the clerk to mail another copy of the findings and recommendation to petitioner at his current place of confinement. The order advised petitioner that his motion to reconsider was granted only to the extent that he will be allowed until October 25, 2007 in which to file objections to the magistrate judge's findings and recommendation. The order further advised petitioner that if he filed objections, his case would be reinstated and the objections reviewed by the undersigned.

On October 23, 2007 petitioner filed objections to the magistrate judge's Finding and Recommendation. By order dated October 26, 2007 the September 13, 2007 Final Judgment was set aside and this action was reinstated.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the objections filed October 23, 2007, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby **ADOPTED** and his recommendation is **ACCEPTED**. Accordingly, it is **ORDERED, ADJUDGED** and **DECREED** that petitioner's objections are **OVERRULED** and the petition for writ of habeas corpus is **DISMISSED**. A Final Judgment will be entered.

As to the foregoing it is **SO ORDERED** this the 2nd day of November, 2007.

  
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**VIRGINIA EMERSON HOPKINS**  
United States District Judge